

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

THE UNITED STATES OF AMERICA)	
Plaintiff,)	
vs.)	
)	4:14 CR 00088 RWS (SPM)
DIONNE GATLING,)	
TIMOTHY LAMONT RUSH,)	
ANDRE ALPHONSO RUSH, and)	
LORENZO RALPH GIBBS,)	
Defendants.)	

**DEFENDANTS' JOINT REQUEST FOR ADDITIONAL DISCLOSURES
AND/OR DISCOVERY**

COME NOW Defendant Dionne Gatling, Timothy Lamont Rush, Andre Alphonso Rush and Lorenzo Ralph Gibbs, by and through their respective Counsel, and respectfully Request for an Update and/or Additional Discovery:

1. Defendants request an update as to the status of any disciplinary actions taken as a result of the OIG and/or OPR Investigations with regard to any member of the Atlanta DEA under the supervision of Keith Cromer.

2. At the *Franks* Hearing in this case, Keith Cromer testified and was at such time, no longer employed by the Drug Enforcement Agency and was the subject of an OIG and/or OPR Investigation for improper conduct. Request is made for an update as to what, if any, disciplinary steps have been initiated against Cromer or, in the alternative, the status of the aforesaid Investigations.

3. Prior to the commencement of the *Franks* Hearing, on October 12, 2016, the Government filed its Proposed Witness List Under Seal (Doc. 322); that included on said list was Lionel Martinez, Escambia County Sheriff's Office, Pensacola, Florida; that Lionel Martinez is, it is believed, involved in this case as the "undercover agent" in the reverse sting involving Defendants;

that no discovery has been provided concerning whether Martinez was interviewed relative to either the OIG or OPR investigations in this case. Martinez was not called during the *Franks* Hearing. It is unclear from the discovery provided whether Martinez was a member of Cromer's Atlanta DEA Team and, therefore, the request for whether there is any *Giglio* material or other discovery regarding Martinez.

4. Any additional discovery related to the homicides as described in the Superseding Indictment.

5. Defendants acknowledge the information previously provided by the Government and this is not meant to further delay or impede this case in any way; however, Defendants believe that it is important to ascertain a response for the aforementioned inquiries.

WHEREFORE, for the foregoing reasons, Defendants request the information solicited; that if any of the material is privileged, that it be subject to a Protective Order; and for such other and further relief as the Court deems proper in the premises.

Respectfully Submitted,

/s/ **JoANN TROG**

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CERTIFICATE OF SERVICE

Signature of the foregoing document is also certification that a true and correct copy has been filed electronically with the Clerk of Court to be served by operation of the Court's electronic filing system upon Dean Hoag and Michael Reilly, Assistant United States Attorneys, 111 South 10th Street, 20th Floor, Saint Louis, Missouri 63102 on this 5th day of June, 2018.

/s/ **JoAnn Trog**